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## 7 SARATOGA MEN FOR ANDRUS JURY

Most Talesmen at Ballston Admit Bias as Friends of Political Bosses.

### RELIGION ENTERS CASE

Nat Evans, Owner of Noted 'Brook' Gambling Resort, Not to Be a Witness.

### MEN AT JAMAICA CALLED

Racetrack to Be Combed for Evidence in the Trial of District Attorney.

**SARATOGA, May 9.**—Seven jurors had been selected when court adjourned to-night in the trial of Charles B. Andrus, District Attorney of Saratoga county, charged with neglect of duty in an indictment returned by an Extraordinary Grand Jury, which investigated gambling conditions in Saratoga outside of the racetrack.

One of the hundred or more witnesses summoned by the prosecution is Nat Evans, considered a "top notch" New York city sport, who was fined \$500 last week after pleading guilty to running a palace of chance in Saratoga during the racing season of 1919.

Evans's place is known as "The Brook," which in fixtures and variety of gaming rivalled the famous establishment of the late Richard Canfield, which was put out of business in 1901 through a warrant issued by Andrus, then Justice of the Peace.

On reliable information Evans is reported to have been the "silent partner" of Arnold Rothstein, racing stable owner and layer of odds on most anything, who is alleged to have purchased "The Brook" early in 1919.

After paying his fine last week Evans announced that he never had met Andrus in his life and could tell nothing which might be of value to the prosecution, which is being conducted by special Deputy Attorney General Wyman S. Bascom.

In view of Evans being allowed his liberty on a \$500 fine and making the announcement that he could tell nothing which might be of value to the prosecution it is not expected he will put over a "sneak" showing that the Brook might have paid protection during the August meeting of 1919 and possibly last year.

So far as known Rothstein has not been summoned to appear for either side. Other sport followers, more or less known in the gambling fraternity have been subpoenaed and will be obliged to absent themselves for a few days from the Jamaica race track.

There were 100 Saratoga county tilters of the soil in the jury panel and the courtroom's atmosphere was charged with crop news and politics when Supreme Court Justice Henry B. Borst started the proceedings.

Both Mr. Bascom and County Judge Lawrence B. McKelvey, counsel for Andrus, questioned each prospective juror as to his political affiliation and religious belief.

Each man was asked by the defence if he knew former State Senator Edgar T. Brackett, characterized as the political boss whom Andrus had successfully opposed since the Canfield incident, within the ranks of the Republican party.

The work of selecting a jury proceeded slowly owing to the "political conspiracy" alleged by the defence, although the prosecution attributed similar activities to Andrus and his aide. After attorneys for both sides had questioned prospective jurors along this line, Judge Borst remarked:

"I think you attorneys are placing

## NEW COMMISSIONER BANS INDIAN DANCES AS IMMORAL

Chippewa Tribe Deny Charge, Resent Order, Similar to One Issued Several Years Ago, and Say They Will Pay No Attention to It.

**DULUTH, May 9.**—Chippewa Indians in the Lake Superior district expect to disregard a recent order issued by Charles H. Burke, newly appointed Commissioner of Indian Affairs, which condemns certain Indian dances as immoral and suggests that this type of dance be eliminated. It was indicated today. John Arton of Superior, member of the Legislative Committee of the House of the Lakes Council, said today the council received a similar order several years ago, when Cato Selie was Indian Commissioner. No attention was paid to the first order, Mr. Arton said, as the council did not consider dances indulged in by the tribe as objectionable.

Commissioner Burke in his letter, did not condemn dancing in itself, but stated that "The dance, however, under

too much importance on the political aspects of this case."

The seven jurors were selected out of an examination of twenty, most of the remaining sixteen expressing decided opinions as a result of reading about gambling conditions in Saratoga. Talesmen over fifty years old said they were with their old-time boss Brackett and younger men declared no evidence produced could prejudice them against "Charlie" Andrus.

William J. Smith, owner of a grocery at Clifton Park and a world war veteran, admitted he never had heard of ex-Senator Brackett, nor had he read the *Saratogan*, an anti-Andrus newspaper.

William J. Fallon of the law firm of Fallon & McGee, New York city, and of counsel for Andrus, telegraphed he would not be able to come here until Wednesday.

In adjourning the trial until Wednesday Judge Borst said he was called to Albany to-morrow on official business. He ordered the seven jurors locked up in a local hotel in custody of the Sheriff and his deputies.

### PARTY OF 4 SUCCUMBS TO EFFECTS OF 'HOOCH'

Three Partly Recover in Bellevue of Alcoholism.

On Saturday two young men and two young women rented a furnished apartment at 852 Ninth avenue and took immediate possession.

Last night Henry Freedman, who had rented them the place, became uneasy because he had not seen his tenants or heard them stirring about. He went to the door of the flat, inserted his key and peeped in. His four tenants were lying about unconscious. Freedman dashed downstairs and called Patrolman William Barry. After vainly attempting to restore the four to consciousness Barry summoned Dr. Bonnyman of Flower Hospital.

The ambulance surgeon worked over them for some time with a stomach pump and finally partially roused both men and one woman. The men said they were J. E. Wilkowsky, 25, of 120 Ellsworth street, Philadelphia, and Sydney Wingard, 25, of 212 Wilson avenue, Brooklyn. The woman gave the name of Mary White, 25, of 2465 Seventh avenue. The fourth member of the party was a woman of about 28. Dr. Bonnyman said all four were suffering from acute alcoholism and rushed them in an ambulance to Bellevue, where doctors continued the efforts to save them. What kind of "hooch" was contained in the empty bottles found in the flat is not known.

**MME. CURIE GUEST AT YALE.**  
**NEW HAVEN, May 9.**—Mme. Marie Curie of France, who is to be in this country at the time, will be one of the notable guests to attend the Yale commencement and inauguration of President James R. D. Angell in June.

As it has been the custom at Yale to withhold official announcement of the list of those who will receive honorary degrees until commencement day there is no official confirmation from the office of the university secretary of the report that Mme. Curie will receive a degree.

It was announced at the District Attorney's office that Deputy Assistants John Lawrence McDonnell and Peter Sabatino have been assigned to the prohibition enforcement bureau of which Albert B. Unger is the chief.

Within the space of two hours last night Herbert Brehon, director of screen plays for Norma Talmadge and other stars, had experienced all the sensations of being prosecuted for an alleged violation of the prohibition law and was once more a free man. He was arrested by Policeman John Gerrity of the West Forty-seventh street station at Sixth avenue and Forty-sixth street, searched for liquor which he claimed he never had in his possession, and then accused of flinging a well wrapped bottle of Scotch into a Sixth avenue hallway in an effort to avoid arrest.

In Night Court Gerrity could not swear that the bottle of Scotch was thrown into the hallway by his prisoner and therefore, for lack of evidence, Brehon was discharged.

## BIG WHISKEY RAID AT ATLANTIC CITY

\$50,000 Worth Seized on Sloop and Boat House Near the Inlet.

### CONGRESSMEN LOOK ON

Thousands Promenading Board Walk Witness Land and Water Operations.

**SPECIAL DESPATCH TO THE NEW YORK HERALD.**  
**ATLANTIC CITY, May 9.**—Prohibition agents and customs inspectors seized Scotch and rye whiskey worth about \$50,000 this afternoon in raids on a boat house on Barrett avenue, near the Inlet, and on an auxiliary sloop lying in the inlet. Several thousand persons on boats and promenading Boardwalk, among them the members of the House and Senate, witnessed the raid and had to be kept back by policemen.

Prohibition Agents Charles A. Kelly and Walter J. Hoffman had charge of the raid on the boat house, the land operation of the Government forces. They said to-night that from the boat house, owned by Capt. Harry Gaudier, they seized between 500 and 600 cases of fine whiskey. The raid on the boat house was held up by heavy seas, and by the time they had obtained one and were ready to smash in the door word had spread along the Boardwalk to the hotels, and crowds were hurrying to be in at the death. But unfortunately, for the onlookers the officers didn't break a bottle.

The sloop on the sloop, which also is owned by Captain Gaudier, was made by United States customs inspectors at a time when the boat was lying not far from the United States dredge Abascoom, on board which were the members of the House and Senate from Washington. The customs officials said that they found fifty bottles of whiskey on the sloop, which is alleged to have been smuggled here from the British island of Bimini, off the Florida coast. The whiskey was impounded at the local coast guard station while the customs officials are obtaining warrants for illegal transportation of liquor and violation of the customs laws.

Neither the prohibition enforcement agents nor the customs men have made any arrests, the delay being explained by the fact that it is necessary to send to Philadelphia for warrants, the term of the United States Commissioner in Atlantic City having expired several days ago.

**SEARCH FOR EDITH MCCLINTON.**  
**SPECIAL DESPATCH TO THE NEW YORK HERALD.**  
**MIDDLETOWN, N. Y., May 9.**—Surrogate Smith at Goshen has issued letters of administration to Henry M. McClinton, of Highland Falls, on the estate of Edith R. Cox McClinton, who mysteriously disappeared from the home of Mr. McClinton, eighteen years ago.

Soon after leaving she wrote one letter to her son, Thomas P. McClinton, of the United States Navy, but from that time to the present, as far as is known, no one has heard from her.

**DOUGHTY GETS SIX YEARS.**

**TORONTO, May 9.**—John Doughty, convicted of swindling \$105,000 in Victory bonds from Ambrose Small, missing theatrical manager to-day was sentenced to six years in the provincial penitentiary. Crown authorities indicated they might drop for the present the charge that Doughty, who was Small's secretary, had conspired to kidnap him.

## MILLER THREATENS LAX POLICE CHIEFS

Will Not Accept Their Excuse That Dry Law Cannot Be Enforced.

### HE HAS REMOVAL POWER

Governor Particularly Resents Remark Made by Head of Amsterdam Free.

**SPECIAL DESPATCH TO THE NEW YORK HERALD.**  
**NEW YORK Herald Bureau.**  
**Albany, May 9.**

Gov. Nathan L. Miller made it plain this afternoon that he would not accept the excuses and explanations of the police chiefs of the State who replied to a questionnaire sent out by the New York Mayors' conference that it was not possible to enforce the State prohibition laws.

He declared that he has the power to remove on charges any police officials who are lax in enforcing the laws, and he intimated that he will use this power unless the officials do everything in their power to make their respective territory dry. The Governor said that he had no definite plans for dealing with recalcitrant police officials, but he said he would take up the matter as soon as he had finished his work on the thirty day bills.

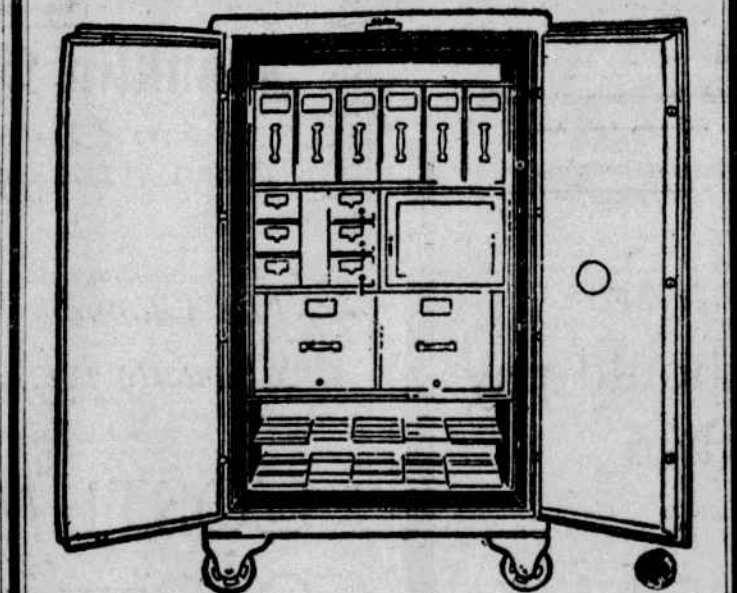
Gov. Miller particularly resented the remark of the Chief of Police of Amsterdam that to enforce prohibition it was necessary to "turn 100 per cent. Americanism into 100 per cent. squealer."

"I will say this much," the Governor said, "that the Chief of Police, if he made that observation, shows gross disregard of what Americanism means, which is respect for and obedience to law. He manifests unwillingness to be a Chief of Police and the Mayor of his city would do well to look into his qualifications."

"Anybody who knows anything at all knows that any man, police officer or no police officer, just by walking through the streets of the town, can tell where liquor is being unlawfully sold. Of course, you cannot prevent violations of the law. If we would we would not have to have criminal courts, but people who wink at violations have no business to be charged with the duty of enforcing the law."

Officials of the Mayors' Conference said to-day that they were amazed at the replies they had received to their questionnaire. William P. Capes, secretary of the organization, explained that, as a matter of fact, the question of the ability of the city administration to enforce the law was not raised and that the only thing the conference had sought to know was whether the best results could be obtained by the regular police force, the detectives or a force of private detectives.

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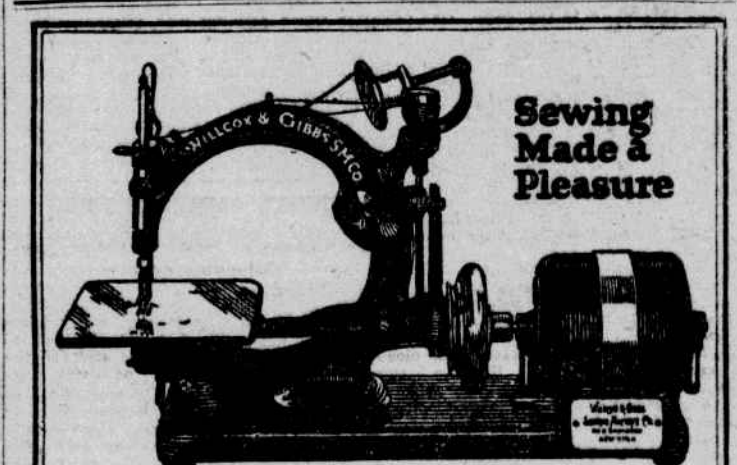
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